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The Perils of Widowhood

January 12th, 2012 by [Hanibal Goitom](#)

As part of my daily duties on the [Global Legal Research team](#) at the [Law Library of Congress](#), I recently had to look into the issue of gender-based violence in [Kenya](#) and [South Africa](#). In the course of this exercise, I noticed that despite various law reform initiatives to strengthen laws designed to prevent certain forms of gender-based violence, particularly sexual violence, the rates of these crimes remain stubbornly high.

Which got me thinking – if attempts at stopping acts such as rape and sexual assault, which by any standard are considered evil, continue to make little progress in these countries, what chance do fights against practices rooted in accepted traditions have? Case in point, mistreatment of widows.

In many African jurisdictions, women are widely mistreated upon the death of their husbands. Among the different [forms of mistreatment](#) they are forced to endure are disinheritance, forced [levirate marriages](#), humiliating mortuary rites and denial of sepulchral rights.

These abuses are not uniform in nature. For instance, in some parts of [Cameroon](#), immediately following the death of her husband, a widow is, among other things, stripped, clean-shaven, and banned from bathing for an extended period of time during which she remains in isolation. In some Kenyan [communities](#), in addition to being evicted from their homes and losing all their property, widows are forced into marital unions with males from their late husbands' families. In [Zimbabwe](#), widows are often accused of bewitching people and are driven out of town or subjected to painful "cleansing rituals." In some parts of Tanzania, they are routinely accused of causing the death of their husbands and are [ostracized](#) or even [killed](#).

Much like the rituals/abuses, their rationales also vary from one community to another. For instance, the above mentioned ritual in [Cameroon](#) is motivated by various reasons. It is intended as retribution against the widow for causing the death of the husband and/or failing in her marital duties in some way, [common](#) presumptions whenever a woman outlives her husband. It also serves both as a test of the widow's fidelity to the deceased husband and a cleansing ritual.

The ritual may also be carried out for the purpose of adjusting the widow's status. As Margaret Owen, a leading figure on the issue of rights of widows observed, "[widowhood represents a "social death" for women.](#)" Owens writes

it is not merely that they have lost their husbands, the main breadwinner and supporter of their children, but widowhood robs them of their status and consigns them to the very margins of society where they suffer the most extreme forms of discrimination and stigma.

Nigeria is one of the hotbeds of these troubling rituals.

In parts of Nigeria, an unmarried woman has no status in society. Her nuptial marks her elevation in the ranks of her community, a status she loses if she outlives her husband. A ritual in which the widow is forced to sit on the floor naked for the duration of the husband's burial rites signifies the woman's loss of this status in her community, also known as [dethronement](#).

The fact that they are based on deeply rooted and widely accepted traditions makes it unlikely that legislative solutions alone will make much of a difference, at least in the immediate future. Some Nigerian States have nonetheless issued laws aimed at banning certain humiliating mortuary practices. States including [Ebony](#) (in 2001), [Enugu](#) (in 2001), and [Cross River](#) (in 2005) issued laws criminalizing certain acts to which widows are traditionally subjected. For instance, a section of the [Cross River State law](#) states that

[a]ny person who [f]orces, coerces, entices, induces, mesmerizes or hypnotizes a widow to drink the water or any other liquid used to bath and or clean her husband's corpse or subject her to pass through any ordeal or observe any obnoxious tradition ...commits an offence[sic].

This form of trial by ordeal is typically imposed on a widow as an interrogation technique. This is because as noted above, a widow is almost always suspected of having had a hand in her husband's death (talk about guilty until proven innocent).

The Enugu State law introduced a ban on a list of similar mortuary rituals imposed on widows. A section in this law states that

[n]o person for whatever purpose or reason shall compel a widow....to

- sleep either alone or on the same bed or be locked in a room with corpse of the husband;
- sit on the floor or be naked during any period of the husband's burial rites; [or]
- drink the water used in washing the corpse of the husband.

The Enugu State law also introduced a ban on another ritual which forces widows to demonstrate in public their love for their late husbands. For instance, among the Hausa community in northern Nigeria, widows are given [specific instructions](#) (p. 143) as to how to mourn their deceased husbands:

When your husband dies, you must wail. If you loved him, then you are sad at heart also; he isn't there. If you didn't particularly like him, you wail because of compassion, and you had got used to him and now he isn't here.

In some communities, widows are assigned minders to [supervise](#) (p. 2) the adequacy of their grief and whenever they are perceived to have fallen short of the acceptable, obviously subjective, threshold, they may be punished or worse; accused of causing the death of their late husbands. The Enugu State law specifically prohibits forcing a widow to "weep and wail loudly at intervals at any time after the death of the husband."

The [Library of Congress](#) has numerous books in its collections on the subject including:

- [Widowhood in African Societies: Choices and Constraints](#) (Betty Potash ed., Stanford University Press, 1986);
- [Widowhood: facts, feelings & the law](#) (Eleanor Ann Nwadinobi ed., Widows Development Organisation, 2008);
- [The plight of widows in Nigeria: a mission statement of the Zarephath Woman \(Nwanyi Zarefat\) a Christian widows' movement \(CWM.\)](#) (Rabboni Publishers International, 1999);
- [Widows in our society](#) (Snaap Press Ltd., 2000.);
- [Widowhood in Nigeria: issues, problems, and prospects](#) (Bolaji Owasanoye & Babatunde Ahonsi eds., Friedrich Ebert Foundation and Human Development Initiatives, 1997);
- [Harmful widowhood practices in Anambra State: the new millennium strategies for eradication](#) (NUCIK, 2000).

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1. [Lena January 17, 2012 at 2:19 pm](#)

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